

Message

From: Macchio, Lisa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7A9F87246CD422D9BDACE2CDF1ABBEF-MACCHIO, LISA]
Sent: 1/30/2014 9:08:04 PM
To: Christopher Mebane [cmebane@usgs.gov]
Subject: FW: Summary of the September 4th Conference Call

Maybe this is helpful???

From: Macchio, Lisa
Sent: Thursday, September 05, 2013 2:31 PM
To: 'Christopher Mebane'; Dave Bricklin; 'Holder, Russ'; <Susan_Burch@fws.gov>; Burgess, Karen; Poulsom, Susan; Stoddard, Jamey; Palmer, John; Weber, Courtney; Lehmann, Wade; Don Essig
Subject: Summary of the September 4th Conference Call

Thanks again for a good discussion of the issues. As agreed, I've summarized the call from my notes. I've highlighted some questions that I have, so please take a look at the highlighted areas and provide me with a response/clarification.

Please review the summary and provide me with any corrections or additions that I might have missed or misunderstood and not captured accurately.

Next steps are to informally exchange language for the revised RPA's and have this completed before September 25th. I will be out of the office diving ALL NEXT WEEK. I would hope that folks will be able to directly communicate with each other if need be in my absence. I will be checking email in the evening, and will be back in the office on September 16th.

Main points and summary of revisions from the September 4th conference call:

- We agreed that we would collectively work together to modify the RPA's.
- NOAA stated that there were some things they needed to discuss internally and think through a bit more.
- We collectively agreed that sufficient information has been exchanged via these conference calls on revisions to the RPA's that written comments from EPA to NOAA on the draft RPA's is not needed. However Wade Lehman agreed to provide written comments to NOAA on the technical analysis by the end of September – WADE was this going to be via email or an actual written letter?
- We agreed that we should have the revised RPA's developed prior to September 25th, when EPA will be using the revised RPA's to brief upper management.
- Do folks think we need to schedule another call before Sept 25th?

ARSENIC RPA

We agreed that the RPA is acceptable as is.

COPPER RPA

We agreed that the RPA for Copper will be modified as follows:

- The RPA will include a date by when EPA's revised copper criteria (aka Copper biotic ligand model (BLM)) would be in place in Idaho
- The selection of a date will need further discussion amongst the agencies (NOAA, EPA, FWS)
- Revised language is needed in the RPA to address the interim measures. This includes consultation on individual NPDES permits with conservation measures identified. For example, how to use mixing zone flexibility, WET testing and the benchmarks that NOAA will be using as targets. – I think we agreed that EPA would try to flesh this out further – is that correct? If so, who is suppose to be doing this?

MERCURY RPA

We agreed that the RPA for Mercury will be modified to remove the language that states EPA will cease use of the aquatic life criteria in establishing effluent limits in permits (top of pg. 194). The remaining language in the RPA is acceptable. Don Essig was going to check on whether implementing the methyl mercury fish tissue criterion at the highest trophic level in areas where listed salmonids occur (Salmon and Clearwater Basins) was going to be workable. I'M NOT SURE I HAVE THIS CORRECT AND WAS THIS NECESSARY OR NOT?

SELENIUM RPA

We agreed that the RPA for Selenium is for the most part acceptable, however language about proportionally reducing sources needs to be modified

- Modification of the language on page 219 paragraph 1.b. should address the tools to reduce the size of the mixing zone – Who's suppose to craft the language? EPA or NOAA?
- EPA agreed that the tissue monitoring language is acceptable and is something we can implement in NPDES permits

PCP RPA

We agreed that the RPA for PCP is okay. However, Lisa has to check with the EPA CWA 404 enforcement folks.

HARDESS FLOOR RPA

Although we didn't discuss this on this call, I recall we previously discussed that the RPA should be simplified to remove the hardness cap at 25 mg/l so that there is no hardness floor. EPA is not able to use an ambient hardness lower than 25 mg/l when the Idaho regulations require a hardness of 25mg/l is to be used. NOAA will need to remove the language on pg. 99 regarding an alternative RPA. DO I HAVE THIS CORRECT? OR AM I FORGETTING SOMETHING? WAS EPA GOING TO LOOK INTO SIMPLY INCLUDING A SMALLER MIXING ZONE IN CERTAIN CIRCUMSTANCES???? Do we need a date for this RPA?

WET TESTING

I spoke to Jamey Stoddard today and he agreed to work with Chris directly to suggest changes to the WET testing language.